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Attorney Docket No.: 49674 CPA (72024)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 18 2004

APPLICANTS	Proost, et al.	EXAMINER:	Roark, Jessica H.
U.S.S.N.:	09/537,858	GROUP:	1644
FILED:	March 28, 2000	Conf. No.	5522
FOR:	AMINO-TERMINALLY TRUNCATED RANTES AS CHEMOKINE ANTAGONISTS		

Technology Center 1600
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

.....

CERTIFICATE OF FACSIMILE

I hereby certify that this Supplemental Amendment is being sent via facsimile on 18 February 2004 addressed to: Technology Center 1600, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; Attn: Examiner Jessica H. Roark at fax no. (703) 305-3014.

By *Rachelle Chery*
Rachelle Chery

.....

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Supplemental Amendment to the Non-Final Office Action mailed on January 15, 2004.

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U.S. Application No.: 09/537,858

STATUS

☐ a small entity.

EXTENSION OF TERM

NOTE: *"Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 410.00	\$205.00
<input type="checkbox"/>	three months	\$ 930.00	\$465.00
<input type="checkbox"/>	four months	\$1,450.00	\$725.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

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(check and complete the next item, if applicable)

- ☐ An extension for ___ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

[Col. 1] Small Entity	[Col. 2]	[Col. 3] Small Entity	Other Than a
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate Additional Fee
Total	Minus	=	x \$ 9 \$ =
Indep.	Minus	=	x \$ 42 \$ =
<input type="checkbox"/> First Presentation of Multiple Dependent Claim		+\$140 =	+\$280 =
		Total Addit. Fee:	Total Addit. Fee \$
		\$0.00	.00

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- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ ____.
☐ Charge Account No. 04-1105 the sum of \$ ____

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

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6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

Respectfully submitted,

Date: February 18, 2004

By:


Dianne M. Rees, Ph.D.
Registration No. 45,281
EDWARDS & ANGELL, LLP
Intellectual Property Group
PO Box 55874
Boston, MA 02205
Telephone: 617-439-4444
Fax: 617-439-4170

Customer No: 21,874

DOS2_434238.1

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Edwards & Angell_{LLP}101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170
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OFFICIALDate : February 18, 2004From : Dianne M. Rees, Ph.D.Fax : 617-439-4170Direct : 888-951-3351To : Examiner Jessica H. RoarkFax : 703-305-3014Direct :Pages : 9

(including cover sheet)

If you received a partial delivery, please call Rachelle Chery at 617-951-3341.

Re:

Fax

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By 
Rachelle Chery

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Commissioner for Patents
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SUPPLEMENTAL AMENDMENT

Dear Sir or Madam:

In response to a telephone conference with the Examiner on January 12, 2003, Applicants provide a listing of the claims considered as pending in their Amendment and Response filed September 30, 2003. The claims have been renumbered to correct inadvertent misnumbering which occurred in Applicants' Amendment and Response. Certain amendments have been made herein to correct dependencies of claims required by this renumbering.

All remarks concerning the rejections and objections made in the previous office action are incorporated by reference herein with respect to these claims.